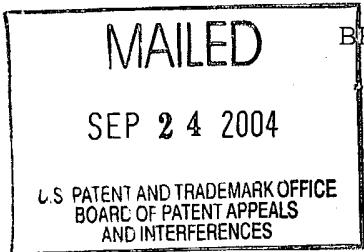


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ULRICH REFINERS
and
MICHEL PITTEL

Application No. 09/763,679

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on September 9, 2994. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On December 22, 2003, appellants filed an after final amendment. There is no written communication from the examiner notifying appellants as to whether or not the amendment has been entered. Moreover, there is no indication in the electronic record that the examiner has considered the December 22, 2003 amendment.

Accordingly, it is

ORDERED that the application is returned to the examiner to:

Application No. 09/763,679

- (1) notify appellants in writing as to whether or not the after final amendment filed on December 22, 2003 has been entered,
- (2) provide an appropriate indication in the electronic record as to entry or non-entry of the December 22, 2003 amendment, and
- (3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


KIMBERLY JORDAN
Program and Resource Administrator
(703) 308-9797

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KJ/clm/dm
RA04-0823